

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CHARLES LEE DAMON CLARK,

Plaintiff,

v.

RODRIGO ESPINO, et al.,

Defendants.

Case No. 3:15-CV-0527-RCJ (VPC)

REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE

This Report and Recommendation is made to the Honorable Robert C. Jones, United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice, LR IB 1-4. Before the court is plaintiff's motion to voluntarily dismiss this case (ECF No. 25).

On November 10, 2016, plaintiff filed a motion to dismiss this case (ECF No. 25). In the motion, plaintiff states that of his "own volition" he wishes this court to dismiss his case because of "unexpected" and "troublesome circumstances" including not being able to settle this case as well as plaintiff inadvertently losing a piece of evidence. *Id.* Defendants have filed a notice of non-opposition (ECF No. 26).

Based on the foregoing, the court recommends that plaintiff's motion to dismiss (ECF No. 25) be granted and this case dismissed without prejudice.

The parties are advised:

1. Pursuant to 28 U.S.C. § 636(b)(1)(c) and Rule IB 3-2 of the Local Rules of Practice, the parties may file specific written objections to this Report and Recommendation within fourteen days of receipt. These objections should be entitled "Objections to Magistrate Judge's Report and Recommendation" and should be accompanied by points and authorities for consideration by the District Court.

